

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

ALEX RODOLAKIS on behalf of Himself and
Others,

Plaintiff

v.

SAFETY INSURANCE COMPANY and
LAW OFFICES OF THOMAS S. FRANCIS,

Defendants.

(Removed from Suffolk County Superior
Court, No. SUCV2017-02820-BLS2)

NOTICE OF REMOVAL

PLEASE TAKE NOTICE that defendant Law Offices of Thomas S. Francis (“the defendant”) by and through its attorneys, Wilson Elser Moskowitz Edelman & Dicker LLP, submit this Notice of Removal in accordance with 28 U.S.C. §§ 1331 and 1446 and respectfully represents as follows:

1. The Plaintiff, Alex Rodolakis (“Plaintiff”), filed a Complaint in the Superior Court of the State of Massachusetts, County of Suffolk (the “State Court”) on September 1, 2017, commencing this action captioned as *Alex Rodolakis, on behalf of himself and others v. Safety Insurance Company and Law Offices of Thomas S. Francis*, SUCV 2017-02820-BLS2 (“the Subject Action”). A true copy of the Summons and Complaint is attached as **Exhibit A.**
2. The Plaintiff asserts causes of action pursuant to the Massachusetts Consumer Protection Act, M.G.L. c. 93A §§ 2 and 9, the Massachusetts Fair Debt Collection Practices Act,

M.G.L. c. 93, §§ 24-28, 49, Massachusetts common law, and the Federal Fair Debt Collection Practices Act, 15 U.S.C. §§ 1692 *et seq.* See generally, **Exhibit A**.

3. As the plaintiff has asserted a cause of action pursuant to federal law, specifically, the Federal Fair Debt Collection Practices Act, this Court has original jurisdiction over the subject matter of this action under the provisions of 28 U.S.C. § 1331, which grants district courts original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States. Pursuant to 28 U.S.C. § 1446(c), the Defendant is entitled to remove the entire action to this Court.
4. This Notice of Removal is timely under 28 U.S.C. 1446(b) as it is filed within 30 days of the defendant's first receipt of the plaintiff's Summons Complaint on September 25, 2017, as noted on the Summons served on the defendant. See Summons and Complaint, attached as **Exhibit A**.
5. Pursuant to 28 U.S.C. 1446(d), a true and correct copy of this Notice of Removal is being filed this date with the Superior Court of the Commonwealth of Massachusetts, County of Suffolk.
6. Defendant Safety Insurance Company has indicated that it consents to the removal, though counsel.
7. The documents attached hereto constitute copies of all the process and pleadings received by the Defendant to date.

WHEREFORE, the defendant, Law Offices of Thomas S. Francis, hereby removes the Subject Action from the Superior Court of the Commonwealth of Massachusetts to the United States District Court for the District of Massachusetts.

Respectfully submitted,
Defendant,
LAW OFFICES OF THOMAS S. FRANCIS,
By its attorneys,

/s/ Kara Thorvaldsen

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CERTIFICATE OF SERVICE

I, Kara Thorvaldsen, certify that on this 24th day of October, 2017, I caused the foregoing Notice of Removal to be served by first class mail, postage prepaid, on counsel as follows:

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/s/ Kara Thorvaldsen